



Attorney Docket No. T9376.DIV2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#813
924103

APPLICANT: PETER PAL VARGA et al.)
TITLE: METHOD OF IMPLANTING)
AN INTERVERTEBRAL)
SPACER) NOTIFICATION OF ERROR IN
SERIAL NO.: 10/055,783) SPELLING OF INVENTOR'S
FILED: January 22, 2002) NAME AND REQUEST TO
EXAMINER D. Willse) CHANGE INVENTOR NAME FROM
ART UNIT: 3738) JAMES A. OGILVIE TO JAMES
W. OGILVIE

RECEIVED
SEP 22 2003
TECHNOLOGY CENTER

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Applicants hereby provide notice of a typographical error in the spelling of the name of one of the inventors in the above referenced application. The inventor James W. Ogilvie is incorrectly listed as James A. Ogilvie in the application and declaration as originally submitted. Applicants respectfully request the Office to change the spelling of the inventor's name to

Certificate of Deposit Under 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the 12 day of September, 2003.

Karl R. Cannon
Karl R. Cannon
Attorney Registration No. 36,468
Attorney for Applicant

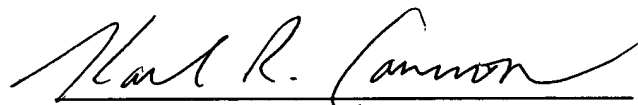
James W. Ogilvie so that the issuing patent reflects the correct spelling of the inventor's name.

In accordance with M.P.E.P. § 201.03, where a typographical error in the spelling of an inventor's name is discovered, the Office should simply be notified of the error, which we accomplish by this Notification. A new oath or declaration is not required. Reference to this Notification is to be made by the Patent and Trademark Office on the previously filed oath or declaration, see M.P.E.P. § 605.04(g), to ensure that the patent when issued reflects the proper spelling.

Applicants respectfully request the Office to enter this document in the above-captioned matter, and to make any other corrections to the Office records as necessary to properly reflect the spelling of the inventor's name as James W. Ogilvie.

DATED this 12 day of September, 2003.

Respectfully submitted,



Karl R. Cannon
Attorney Registration No. 36,468
Attorney for Applicant

Clayton, Howarth & Cannon, P.C.
P.O. Box 1909
Sandy, UT 84091
Telephone: (801) 255-5335
Facsimile: (801) 255-5338

KRC/CBV

S:\CHC Files\T 9--\T93--\T9376\Div2\notice of error in app.wpd